

I have said that I sit in the white hair row. It is a row that I picked. Because of my seniority, I can sit just about anywhere I want, but I sit in this row to sit near Senator BYRD.

Senator BYRD is a Senator's Senator, but he is also a Senator who respects and preserves the Constitution. We are supposed to be the conscience of the Nation. There is only 100 of us to represent 219 million Americans. Thank goodness one of those 100 is ROBERT C. BYRD of West Virginia.

#### COMMONSENSE CONSUMPTION ACT OF 2005, S. 908

Mr. LEAHY. Mr. President, I would note that regrettably, we have on the Senate's calendar legislation designed to limit the rights of consumers, the so-called Commonsense Consumption Act of 2005, as bad public policy.

It defies common sense to give entire industries blanket immunity from potential harm they impose on Americans. The incentives involved in litigation are one of the few remaining measures leading to real corporate responsibility, not to mention accountability. The handful of lawsuits that would have been barred by this legislation actually resulted in settlements providing for more nutritious food in our schools, more accurate labeling for consumers, and the removal of harmful trans fats from some of the foods we eat. A blanket ban on such measures will lead to more serious problems such as increases in heart disease and diabetes and other chronic conditions that are taxing this Nation's health system.

There are many problems with the sweeping language of this legislation. It would dismiss existing State and Federal cases, as well as preempt future cases. Sponsors of the bill claim that it would not prevent false advertising claims but the language in the bill does not guarantee this result. It prevents suits against manufacturers, marketers, distributors, advertisers or sellers of specific products but the exception for false advertising only applies to manufacturers and sellers. Why should advertisers and sellers be excluded from this exception? They are just as likely to deceive consumers as manufacturers and sellers. Also, the legal standard will be heightened so that consumers would be required to prove intentional violation of Federal or State statutes, rather than simply having to prove violations of government regulations on advertising and food safety. Why would we want to give immunity to companies that violate safety regulations? And why should the injured consumer be required to prove a corporation's intent if it can be proved that the corporation violated the law? We all know how impossible it is to prove "corporate intent" without the extraordinary help of a whistleblower. And we all know that were it not for citizens' lawsuits, we may never have learned of the harm that big tobacco companies knowingly

caused to so many, for so long, while denying so much of what they knew. Time and again, the legal system has been more effective than government watchdog agencies in prying loose consumer information like that, which we otherwise might never see.

This legislation does not create any alternative method for keeping a check on corporate misconduct that has a detrimental effect on the health of all Americans. If this bill passes, American consumers will only be left with the thin hope that suddenly the Bush-Cheney administration will begin true regulation of corporations on behalf of American consumers.

If we are serious about trying to address the national health epidemic that is related to obesity, then we should be considering legislation to clarify food labeling so consumers can make informed choices. How about legislation requiring nutritious food in our schools? How about listening to the scientific and health community about the needless dangers of trans fats in our food? How about ending cuts in education that lead to the cancellation of physical education and health courses?

Consideration of this corporate immunity legislation would be especially ill-timed in light of the numerous pressing issues that face this Nation today. The Senate's time would be better spent debating stem cell research, or the life saving technologies that would make Americans' lives better. We should also be moving forward with comprehensive immigration reform, re-authorizing the Voting Rights Act, and addressing the horrific genocide in Darfur. This bill also yet to be subject to committee consideration. If the Judiciary Committee had considered this legislation, I am confident we would have amended the sweeping language of this blanket immunity bill.

This legislation favors the interests of corporations over the health of our children and the health of their parents. This is not the fix that is needed. Let us direct our energies towards making American health care better by finding cures to diseases, making it easier for consumers to make informed choices, getting more Americans insured and investing in health care prevention.

#### BIRTHDAY WISHES TO DAW AUNG SAN SUU KYI

Mr. MCCONNELL. As with all supporters of freedom and democracy in the world, I rise today to extend birthday wishes to Daw Aung San Suu Kyi, the Nobel Laureate who remains under house arrest in Burma.

Much like her previous several birthdays, Suu Kyi's birthday today almost certainly will not be a happy one. The "gift" given to Suu Kyi by the ruling State Peace and Development Council, SPDC, a few weeks ago was the news that it was again extending her deten-

Under the autocratic rule of the SPDC, drug trafficking, disease and human rights violations are rampant and pose growing problems to the region as a whole. The SPDC adheres to policies that seek only to consolidate its own power, and the ruined lives of the Burmese people are the result. Indeed, there is little reason for celebration in Burma today.

The plight of Suu Kyi symbolizes the plight of her countrymen. Moreover, her commitment to freedom and justice through peaceful political change has created a legacy that will endure long after the SPDC's reign is no more.

The best gift the free world can give Suu Kyi is to remain steadfast in support of freedom in Burma today. She can count on my support.

Mr. President, I ask unanimous consent that an op-ed in today's Wall Street Journal by Under Secretary of State Paula Dobriansky be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, June 19, 2006]

"PRESS FOR CHANGE IN BURMA"

(By Paula J. Dobriansky)

Today marks the 61st birthday of Aung San Suu Kyi, the elected leader of Burma's National League for Democracy. It is the third consecutive birthday that she has spent under detention—and a stark reminder that not only she, but 50 million fellow Burmese are living without basic freedoms and human rights. Absent change, Burma is likely to continue a dangerous decline that threatens the welfare of its people and its neighbors alike.

Only by unconditionally releasing Ms. Suu Kyi and all other political prisoners, restoring a democratic form of government, and observing international standards of human rights can Burma's regime bring stability, prosperity and peace to its country—and international respect to its leaders. Toward that end, we are seeking a United Nations Security Council resolution that underscores the aforementioned goals, which were communicated by U.N. Undersecretary General for Political Affairs Ibrahim Gambari to senior Burmese officials during his visit to the country last month. The U.S. is committed to working with the U.N. Security Council, U.N. Secretary General Kofi Annan, regional institutions and governments to press for genuine national reconciliation in Burma.

The threat to the Burmese people from their own leaders is clear: In only the last few months, attacks against ethnic minorities have displaced thousands. Military units abuse their power regularly and commit egregious human rights abuses with impunity, including rape, forced labor, murder and torture. The regime's continued economic mismanagement and corruption have led to a widespread failure of the banking system and rampant inflation, which increases the daily hardships of the Burmese people. Making matters worse, the military's restrictions on U.N. and nongovernmental organizations have hampered the ability of relief organizations to deliver assistance to Burma's most vulnerable populations.

Infectious diseases like HIV/AIDS, tuberculosis and avian flu are best controlled by responsible governments with transparent public health systems that cooperate closely with international institutions. Yet even as the Burmese regime spends considerable

sums to finish relocating its capital, malnutrition is rising and thousands are dying from treatable diseases like malaria and tuberculosis. This tragic failure calls into question the Burmese junta's willingness and ability to protect and improve the well-being of its people.

Burma's people are not alone in facing the consequences of their government's actions: the country's deterioration poses a real danger to its neighbors and—in today's interconnected world—even to those far away. The drug trade and trafficking in persons are rampant; both flow across porous borders and spread corruption, political instability and disease.

America will persist in its strategy to increase international pressure on Burma by working with individual governments and regional organizations, such as the European Union, to seek to return the country to its people through a transparent, inclusive political process. The U.S. administration will continue to impose economic sanctions on the Burmese government, while insisting upon the unconditional release of Ms. Suu Kyi and other political prisoners; an end to attacks on civilians and other human rights violations; and a real dialogue leading to peace, democracy and national reconciliation.

In Asia, the U.S. will continue to collaborate with Burma's neighbors, including members of the Association of Southeast Asian Nations, who have a particular interest in seeing Burma's decline reversed. Asean leaders have already publicly called for the release of political prisoners and for the resumption of a national dialogue with all political stakeholders. On June 3, Indonesian Foreign Minister Hasan Wirayuda stated that "the junta [can] not deflect criticism of the Nobel peace laureate's detention by saying it was an internal matter. The truth is no country can claim that human rights abuses are its own internal affairs."

Finally, the U.S. will work in the U.N. to press for change in Burma. We are pleased that the U.N.'s Economic and Social Council will discuss Burma's forced labor practices in its July session. The U.S. will continue to pursue a U.N. Security Council resolution. As U.S. Secretary of State Condoleezza Rice has said, America stands with the people of Burma, and we have not forgotten their dream of democracy.

The economic, political and public health situation in Burma has deteriorated to the point where the regime's combination of repression and its unwillingness—or inability—to meet its own citizens' needs pose a threat to the peace, security and stability of the region. We must all act together to help the Burmese people win the freedom and prosperity they deserve.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

● Mr. DURBIN. Mr. President, on vote No. 175, I was necessarily absent due to a weather delay with my plane from New York (Delta 1959). Had I been present for that vote, I would have voted to confirm the nomination of Sandra Segal Ikuta to be U.S. Circuit Judge for the Ninth Circuit.●

#### TRIBUTE TO SENATOR BOB DOLE

Mr. INHOFE. Mr. President, I rise today to pay tribute to Senator Bob Dole, a person who is often thought of as one of the most prominent political figures of our time. Perhaps former Secretary of State Colin Powell de-

scribed Senator Dole best when he said he is, "A plain-spoken man of strength, maturity and integrity."

This "plain-spoken" man from Oklahoma's neighboring State of Kansas is legendary for his brave sacrifice to our great country in World War II. In the war, he was a platoon leader in the distinguished Tenth Mountain Division in Italy. He was awarded two Purple Hearts and a Bronze Star after being seriously injured in battle, but his service and sacrifice did not end there. After a long, determined road to recovery, a renewed faith in God, and loving support from family and friends, he began his political career.

After earning his law degree, Senator Dole served in the Kansas Legislature from 1951 to 1953. He came to Washington to serve in the House of Representatives in 1960. He was then elected to the Senate in 1968. His leadership skills gained swift recognition as he became chairman of the National Republican Committee in 1971 and Senate majority leader in 1984.

After Republicans lost control of the Senate in 1986, Senator Dole continued serving his party as Senate minority leader. In this capacity, he became known for his "watch-dog" tactics fighting against Democrat tax-and-spend, big-government policies. Thanks to his help in exposing the unrestrained behavior of the Democrats, the American people voted to put Republicans back in control of both Houses of Congress in 1994. After this overwhelming victory, Senator Dole was once again voted to the post of majority leader, making him the longest serving Senate leader in the history of the Republican Party.

I was privileged to serve with Bob Dole in this body from 1994 to 1996 and work on different issues with him. I supported him in 1996 when he was fighting tax increases and other excessive governmental policies.

After leaving the Senate to run for an unsuccessful Presidential bid in 1996, Senator Dole continued his public service by becoming chairman of the National World War II Memorial to erect a memorial on The National Mall to honor the sacrifice of the brave men and woman who served in the largest and deadliest war in history. He also served as cochair of the Families of Freedom Scholarship Fund to assist the educational needs of the families of victims of the September 11 attacks.

Through media appearances, speeches, two best-selling books, "Great Presidential Wit, I Wish I Was In The Book" and "Great Political Wit, Laughing (Almost) All the Way to the White House," and his personal World War II memoirs, "One Soldier's Story," Senator Dole continues to leave a legacy of the values and principles that have made this great country what it is today.

Bob Dole is a man of character and integrity, and I am proud to honor him with this deserving tribute today.

#### MARRIAGE PROTECTION AMENDMENT

Mr. SCHUMER. Mr. President, I rise to speak about the Marriage Protection Amendment. This poorly conceived, divisive proposal does not belong in the U.S. Constitution. To me, the Constitution is a sacred document, one that protects rights and preserves liberties, and we should not amend it lightly. Never once has our Constitution been amended to deny rights to a group of Americans. And we should not do it now.

This divisive and unnecessary amendment—which failed overwhelmingly when last brought before the Senate—would undermine rights like civil unions now enjoyed by people in many States throughout the Nation. This amendment would override State laws that grant fundamental protections such as hospital visitation rights, inheritance rights, and health care benefits.

Unfortunately, the White House and some Members of Congress think it is more important to attempt to divide our Nation over an amendment that they know has no chance of passing than to actually govern. The timing of this marriage debate and vote—just months before a heated midterm election—proves that this amendment is a political ploy to distract the American people from the issues that the President and his party are failing to address, like skyrocketing oil prices, the war in Iraq, and the lack of affordable prescription drugs.

Therefore, Mr. President, I join a broad range of opponents to the amendment, including former Republican Representative Bob Barr, various clergy groups, and countless voters in my State and across the country in opposing this amendment.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO JAMES REID

● Mr. TALENT. Mr. President, today I wish to recognize James Reid of St. Charles, MI, who earned the distinct honor of reaching the rank of Eagle Scout. James has earned such an honor through his outstanding dedication to his community and his commitment to citizenship.

James's rise to the rank of Eagle Scout is an achievement that is truly worthy of recognition. With this achievement, he joins a prestigious group of individuals, including U.S. Presidents, Members of Congress, astronauts, entertainers, businessmen, and clergymen.

James's dedication to community is evident in and around the St. Charles area. At a young age, he brought his community together through the fundraising and construction of the flagpole that now completes the city's monument to Lewis and Clark. In addition, he serves as an advocate for the homeless, working countless hours building